

All correspondence referring to announcements and subscription of Government Gazette must be addressed to its Administration office. Literary publications will be advertised free of charge provided two copies are offered.

Toda a correspondência relativa a anúncios e à assinatura do *Boletim Oficial* deve ser dirigida à Administração da Imprensa Nacional. As publicações literárias de que se receberem dois exemplares anunciam-se gratuitamente.



SUBSCRIPTION RATES — ASSINATURA

	YEARLY (Annual)	HALF-YEARLY (Semestral)	QUARTERLY (Trimestral)
All 3 series (As 3 séries)	Rs. 40/-	Rs. 24/-	Rs. 15/-
I Series	Rs. 20/-	Rs. 12/-	Rs. 8/-
II Series	Rs. 16/-	Rs. 10/-	Rs. 6/-
III Series	Rs. 20/-	Rs. 12/-	Rs. 8/-

Postage is to be added when delivered by mail —
Acréscer o porte quando remetido pelo correio

GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

General-Administration Department

Notification

12-4-69-GAD

In exercise of the powers conferred by section 5 of the Public Gambling Act, 1867 (3 of 1867), as applicable to the Union territory of Goa, Daman and Diu the Lieutenant Governor of Goa, Daman and Diu hereby appoints Police Officer of the rank of Sub-Inspector and above as the only Officers who can be under section 5 of the said Act, authorised by the warrant of the District Magistrate or the District Superintendent of Police to enter any house, walled enclosure, room or place regarding which such District Magistrate or District Superintendent of Police has reason to believe that it is used as a common gambling house.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

D. V. Sawant, Under Secretary (Appointments).

Panaji, 9th April, 1970.

Collectorate of Goa

Order

LS/REV/280/69/2023

Whereas the Government land known as «Ponchichem-Mol», situated at Massordem of Satari Taluka, shown in the plan no. 14539, was assigned to Shri Vicente de Souza, under Alvara no. 1508, dated 2-6-1943.

Whereas during the inspection to the said land it has been verified that the same is lying entirely waste in contravention to the provision of Section 36 of Decree no. 3602, dated 24-11-1917.

Whereas show cause notice was served on Shri Luis Caetano D'Souza, the present holder of the land in accordance with para 2 of Section 307 of the above cited Decree.

And whereas no reply to the show cause notice has been received from said Shri Luis Caetano D'Souza.

Now, therefore, I, D. N. Barua, Collector of Goa, in exercise of the powers vested in me by virtue of the Government Notification no. DF-1161-AGR-65, dated 9-6-1966, order that

GOVERNO DE GOA, DAMÃO E DIO

Departamento de Administração Geral

Despacho

12-4-69-GAD

No uso das faculdades conferidas pelo artigo 5.º do «Public Gambling Act, 1867 (3 of 1867)» conforme foi aplicado ao território da União de Goa, Damão e Dio, o Governador-tenente de Goa, Damão e Dio, determina que somente os oficiais da polícia da categoria de sub-inspector para cima, poderão ser ao abrigo do artigo 5.º do citado Act, autorizados, por mandado do Magistrado distrital ou Superintendente distrital da Polícia, para entrar em qualquer casa, recinto fechado, quarto ou localidade que o Magistrado distrital ou Superintendente distrital da Polícia, tiver razões para acreditar que estão sendo usados como casas de jogos de azar.

Por ordem e em nome do Governador-tenente de Goa, Damão e Dio.

D. V. Sawant, Subsecretário (Nomeações).

Panaji, 9 de Abril de 1970.

Repartição do Collector de Goa

Portaria

LS/REV/280/69/2023

Atendendo a que o terreno do Estado denominado «Panchichem-Mol», sito em Massordem do concelho de Satari e indicado na planta n.º 14539, que havia sido concedido ao Sr. Vicente de Souza, por Alvará n.º 1508, de 2 de Junho de 1943.

Considerando que durante a inspecção ao referido terreno, verificou-se que o mesmo se achava totalmente inculto, em infracção do disposto no artigo 36.º do Decreto n.º 3602, de 24 de Novembro de 1917.

Atendendo a que o Sr. Luis Caetano de Souza, que se acha actualmente na posse do terreno, foi avisado para apresentar razões justificativas, de acordo com o § 2.º do artigo 307.º do citado decreto.

Tendo em consideração que não foi recebida nenhuma resposta do Sr. Luis Caetano de Souza, ao aviso acima referido.

No uso das faculdades que me são conferidas pelo despacho n.º DF-1161-AGR-65, de 9 de Junho de 1966 eu, D. N. Barua,

the entire land, as mentioned above, be reverted to the Government in accordance with Section 307 of Decree no. 3602, dated 24-11-1917.

D. N. Barua, Collector of Goa.

Panaji, 15th April, 1970.

Order

LS/REV/434/69/2024

Whereas the Government land known as «Curleanchi-vadda-Plot No. 2», situated at Varconda of Pernem Taluka, shown in the plan No. 12985, was assigned to Shri Atma Ragoba Zossulcar, under Alvara No. 1085 dated 26-3-1941.

Whereas during the inspection to the said land it has been verified that the same is lying entirely waste in contravention to the provision of Section 36 of Decree no. 3602, dated 24-11-1917.

Whereas show cause notice was served on Shri Ramchandra Atma Josolkar, the present holder of the land in accordance with para 2 of Section 307 of the above cited Decree.

And whereas the reply of said Shri Josolkar to the show cause notice cannot be considered as valid.

Now, therefore, I, D. N. Barua, Collector of Goa, in exercise of the powers vested in me by virtue of the Government Notification no. DF-1161-AGR-65, dated 9-6-1966, order that the entire land, as mentioned above, be reverted to the Government in accordance with Section 307 of Decree no. 3602, dated 24-11-1917.

D. N. Barua, Collector of Goa.

Panaji, 15th April, 1970.

Order

LS/REV/474/69/2100

Whereas the Government land known as «Ecoulem» situated at Siroli of Satari Taluka, shown in the plan No. 13657, was assigned to Shri Gones Sucdo Gaunkar, under Alvara No. 1200, dated 26-11-1941.

Whereas during the inspection to the said land it has been verified that the same is lying entirely wasted in contravention to the provisions of Section 36 of Decree No. 3602, dated 24-11-1917.

Whereas show cause notice was served on the assignee Shri Gones Sucdo Gaunkar, in accordance with para 2 of Section 307 of the above cited Decree.

And whereas no reply to the show cause notice has been received from said Shri Gaunkar.

Now, therefore, I, D. N. Barua, Collector of Goa, in exercise of the power vested in me by virtue of the Government Notification No. DF-1161-AGR-65, dated 9-6-1966, order that the entire land, as mentioned above, be reverted to the Government in accordance with Section 307 of Decree No. 3602, dated 24-11-1917.

D. N. Barua, Collector of Goa.

Panaji, 18th April, 1970.

Order

LS/REV/314/69/2102

Whereas the Government land known as «Conquirem», situated at Morlém of Satari Taluka, shown in the plan No. 8664, was assigned to Shri Soma Madu Gaunkar, under Alvara No. 153, dated 21-7-1926.

Whereas during the inspection to the said land it has been verified that the same is lying entirely waste in contravention to the provisions of Section 36 of Decree No. 3602, dated 24-11-1917.

Whereas show cause notice was served on Shri Mahadev Soma Gaunkar, the present holder of the land, in accordance with para 2 of Section 307 of the above cited Decree.

Collector de Goa, determino que todo o terreno acima mencionado seja revertido ao Estado, de acordo com o artigo 307.º do Decreto n.º 3602, de 24 de Novembro de 1917.

D. N. Barua, Collector de Goa.

Panagi, 15 de Abril de 1970.

Portaria

LS/REV/434/69/2024

Atendendo a que o terreno do Estado denominado «Curleanchi-vadda, lote n.º 2», sito em Varconda do concelho de Pernem e indicado na planta n.º 12985, que havia sido concedido ao Sr. Atma Ragobá Zossulcar, por Alvará n.º 1085, de 26 de Março de 1941.

Considerando que durante a inspecção ao referido terreno, verificou-se que o mesmo se achava totalmente inculto, em infracção do disposto no artigo 36.º do Decreto n.º 3602, de 24 de Novembro de 1917.

Atendendo a que o Sr. Ramchandra Atma Josolkar, que se acha actualmente na posse do terreno, foi avisado para apresentar razões justificativas, de acordo com o § 2.º do artigo 307.º do citado decreto.

Tendo em consideração que a resposta do Sr. Josolkar, ao aviso acima referido, não pode ser considerada como válida.

No uso das faculdades que me são conferidas pelo despacho n.º DF-1161-AGR-65, de 9 de Junho de 1966 eu, D. N. Barua, Collector de Goa, determino que todo o terreno acima mencionado seja revertido ao Estado, de acordo com o artigo 307.º do Decreto n.º 3602, de 24 de Novembro de 1917.

D. N. Barua, Collector de Goa.

Panagi, 15 de Abril de 1970.

Portaria

LS/REV/474/69/2100

Atendendo a que o terreno do Estado denominado «Ecoulem» sito em Siroli do concelho de Satari e indicado na planta n.º 13657, que havia sido concedido ao Sr. Gones Sucdo Gaunkar, por Alvará n.º 1200, de 26 de Novembro de 1941.

Tendo em consideração que durante a inspecção ao referido terreno, verificou-se que o mesmo se achava totalmente inculto, em infracção do disposto no artigo 36.º do Decreto n.º 3602, de 24 de Novembro de 1917.

Atendendo a que o Sr. Gones Sucdo Gaunkar, concessionário do terreno, foi avisado para apresentar razões justificativas, de acordo com o § 2.º do artigo 307.º do citado decreto.

Tendo em consideração que não foi recebida nenhuma resposta do Sr. Gaunkar, ao aviso acima referido.

No uso das faculdades que me são conferidas pelo despacho n.º DF-1161-AGR-65, de 9 de Junho de 1966, eu, D. N. Barua, Collector de Goa, determino que todo o terreno acima mencionado seja revertido ao Estado, de acordo com o artigo 307.º do Decreto n.º 3602, de 24 de Novembro de 1917.

D. N. Barua, Collector de Goa.

Panagi, 18 de Abril de 1970.

Portaria

LS/REV/314/69/2102

Atendendo a que o terreno do Estado denominado «Conquirem» sito em Morlém do concelho de Satari e indicado na planta n.º 8664, que havia sido concedido ao Sr. Soma Madu Gaunkar, por Alvará n.º 153, de 21 de Julho de 1926.

Tendo em consideração que durante a inspecção ao referido terreno, verificou-se que o mesmo se achava totalmente inculto, em infracção do disposto no artigo 36.º do Decreto n.º 3602, de 24 de Novembro de 1917.

Atendendo a que o Sr. Mahadev Soma Gaunkar, que se acha actualmente na posse do terreno, foi avisado para apresentar razões justificativas, de acordo com o § 2.º do artigo 307.º do citado decreto.

And whereas no reply to the show cause notice has been received from said Shri Mahadev Soma Gauncar.

Now, therefore, I, D. N. Barua, Collector of Goa, in exercise of the powers vested in me by virtue of the Government Notification No. DF-1161-AGR-65, dated 9-6-1966, order that the entire land, as mentioned above, be reverted to the Government in accordance with Section 307 of Decree No. 3602, dated 24-11-1917.

D. N. Barua, Collector of Goa.

Panaji, 18th April, 1970.

Order

LS/REV/345/69/2118

Whereas the Government land known as «Toriachem Boroda» situated at Morlem of Satari Taluka, shown in the plan no. 9257, was assigned to Shri Vitu Arzuna Ranó, under Alvara no. 236 dated 15-5-1928.

Whereas during the inspection to the said land it has been verified that the same is lying entirely waste in contravention to the provisions of Section 36 of Decree no. 3602, dated 24-11-1917.

Whereas show cause notice was served on Shri Bicu Vitu Ranó, the present holder of the land in accordance with para 2 of Section 307 of the above cited Decree.

And whereas no reply to the show cause notice has been received from said Shri Bicu Vitu Ranó.

Now, therefore, I, D. N. Barua, Collector of Goa, in exercise of the power vested in me by virtue of the Government Notification No. DF-1161-AGR-65, dated 9-6-1966, order that the entire land, as mentioned above, be reverted to the Government in accordance with Section 307 of Decree No. 3602, dated 24-11-1917.

D. N. Barua, Collector of Goa.

Panaji, 18th April, 1970.

Special Department

Notification

SPL-PER-398

In continuation of the Secretariat Administration Department's Notification No. SAD/PER/500 dated 20th March, 1969, published in Government Gazette Series II, No. 52 dated 27th March, 1969, the period of deputation of Shri R. L. Kapoor, as Iron Ore Adviser is hereby extended for a further period of one year with effect from 15-3-1970 on the terms and conditions which are being finalised in consultation with the Minerals and Metals Trading Corporation of India Ltd.

The post of Iron Ore Adviser is included in Schedule I of the Annexure to the Goa, Daman and Diu Civil Service Rules, 1967, as a Grade I (Selection Grade) post in the scale of Rs. 700-1250, vide this Department's Notification No. OSD/RRVS/39/67, dated 3rd June, 1969 published in Government Gazette, Series I, No. 11 dated 12th June, 1969.

By order and in the name of the Administrator of Goa, Daman and Diu.

D. V. Sawant, Under Secretary (Appointments).

Panaji, 11th April, 1970.

Finance (Control) Department

Order

Fin (Control)/19-3/69/Vol. III/954

Ref: Order no. Fin(Control)/AC-18/PF.62/69/1/87 dated 10/7/69.

The services of Shri R. K. Warriar, S.R.A.S. Accountant on deputation from South Central Railways and working as

Tendo em consideração que não foi recebida nenhuma resposta do Sr. Mahadev Soma Gauncar, ao aviso acima referido.

No uso das faculdades que me são conferidas pelo despacho n.º DF-1161-AGR-65, de 9 de Junho de 1966, eu, D. N. Barua, Collector de Goa, determino que todo o terreno acima mencionado seja revertido ao Estado, de acordo com o artigo 307.º do Decreto n.º 3602, de 24 de Novembro de 1917.

D. N. Barua, Collector de Goa.

Panaji, 18 de Abril de 1970.

Portaria

LS/REV/345/69/2118

Atendendo a que o terreno do Estado denominado «Toriachem Boroda», sito em Morlem do concelho de Satari, e indicado na planta n.º 9257, que havia sido concedido ao Sr. Vitu Arzuna Ranó, por Alvará n.º 236, de 15 de Maio de 1928.

Tendo em consideração que durante a inspecção ao referido terreno, verificou-se que o mesmo se achava totalmente inculto, em infracção do disposto no artigo 36.º do Decreto n.º 3602, de 24 de Novembro de 1917.

Atendendo a que o Sr. Bicu Vitu Ranó, que se acha actualmente na posse do terreno, foi avisado para apresentar razões justificativas, de acordo com o § 2.º do artigo 307.º do citado decreto.

Tendo em consideração que não foi recebida nenhuma resposta do Sr. Bicu Vitu Ranó, ao aviso acima referido.

No uso das faculdades que me são conferidas pelo despacho n.º DF-1161-AGR-65, de 9 de Junho de 1966, eu, D. N. Barua, Collector de Goa, determino que todo o terreno acima mencionado seja revertido ao Estado, de acordo com o artigo 307.º do Decreto n.º 3602, de 24 de Novembro de 1917.

D. N. Barua, Collector de Goa.

Panaji, 18 de Abril de 1970.

Departamento Especial

Despacho

SPL-PER-398

Em aditamento ao despacho do Departamento de Administração da Secretaria, n.º SAD/PER/500, datado de 20 de Março de 1969, publicado no Boletim Oficial n.º 52, 2.ª série, de 27 de Março de 1969, o período da deputação do Sr. R. L. Kapoor, «Iron Ore Adviser» é prorrogado por mais um ano, a partir de 15 de Março de 1970, sujeito às condições que estão a ser finalizadas de consulta com a «The Minerals and Metals Trading Corporation of India Ltd.».

O lugar de «Iron Ore Adviser» acha-se incluído no quadro I do anexo ao «Goa, Daman and Diu Civil Service Rules, 1967» como lugar de 1.ª classe (classe de selecção), na escala de Rps. 700-1250, a que se refere o despacho n.º OSD/RRVS/39/67, de 3 de Junho de 1969, publicado no Boletim Oficial n.º 11, 1.ª série, de 12 de Junho de 1969.

Por ordem e em nome do Administrador de Goa, Daman e Diu.

D. V. Sawant, Subsecretário (Nomeações).

Panaji, 11 de Abril de 1970.

Departamento das Finanças (Contrôle)

Portaria

Fin (Control)/19-3/69/Vol. III/954

Ref: Portaria n.º Fin(Control)/AC-18/PF.62/69/1/87, de 10 de Julho de 1969.

Os serviços do Sr. R. K. Warriar, contabilista S.R.A.S., em deputação dos «South Central Railways» e trabalhando

Assistant Accounts Officer in the Directorate of Accounts, Panaji are hereby replaced at the disposal of his parent Department w.e.f. 31-5-1970 afternoon.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. G. Sathe, Under Secretary (Finance).

Panaji 13th April, 1970.

Revenue Department

Notification

RD/LND/87/70

Whereas it appears to the Appropriate Government (hereinafter referred to as the «Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for a public purpose viz. The Automatic Telephone Exchange.

Therefore the Government is pleased to notify under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyors or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay, commenced or improvements made thereon without the sanction of the Collector, appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition Officer, Collector's Office Panaji to perform the functions of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, Panaji.
3. The Director of Land Survey, Panaji.
4. The Sub Divisional Officer, Telegraphs, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, Panaji for a period of 30 days from the date of publication of this Notification in the Government Gazette.

como «Assistant Accounts Officer» na Direcção de Contabilidade, em Panaji, são repostos à disposição da Repartição da sua procedência, a partir de 31 de Maio de 1970, após o meio-dia.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

V. G. Sathe, Subsecretário (Finanças).

Panagi, 13 de Abril de 1970.

Departamento de Rendimentos

Despacho

RD/LND/87/70

Atendendo a que o Governo interessado (referido daqui em diante como «Governo») acha que o terreno descrito no quadro anexo (referido daqui em diante como «aludido terreno») é de utilidade pública para os fins do «Automatic Telephone Exchange».

Torna-se publico ao abrigo do disposto na alínea (1) do artigo 4.º do «Land Acquisition Act, 1894» (referido daqui em diante como «citado Act») que o aludido terreno é necessário para os fins públicos acima referidos.

2. Os interessados no aludido terreno são por este avisados a não impedir ou interferir com os agrimensores e outro pessoal em serviço no aludido terreno, para os fins da aquisição do mesmo. Quaisquer contratos para alienação do aludido terreno, por meio de venda, arrendamento, hipoteca, cedência, troca ou de qualquer outra forma, ou quaisquer projectos ou melhoramentos feitos no mesmo, sem a autorização do Collector, nomeado no § 4.º a seguir, depois da data da publicação deste aviso, não serão tomados em consideração, ao abrigo do artigo 24.º (sétimo) do citado Act, pelos funcionários encarregados de atribuir compensação pelas partes do aludido terreno que venham a ser finalmente adquiridas.

3. Caso o Governo considere que o aludido terreno é necessário para os fins acima referidos, será publicado, oportunamente, no *Boletim Oficial*, um aviso final para esse efeito, ao abrigo do artigo 6.º do citado Act. Se a aquisição for abandonada, total ou parcialmente, o facto será notificado na devida altura no *Boletim Oficial*.

4. O Governo nomeia, ao abrigo da alínea (c) do artigo 3.º do citado Act, o «The Land Acquisition Officer» do Collectorado de Goa, Panaji, para exercer as funções de Collector, ao abrigo do citado Act, em relação ao aludido terreno.

5. O Governo também autoriza, ao abrigo da alínea (2) do artigo 4.º do citado Act, as seguintes entidades oficiais para exercerem as funções especificadas na mesma lei, em relação ao aludido terreno.

1. O Collector de Goa, Panaji.
2. «The Land Acquisition Officer», Panaji.
3. O Director de Agrimensura, Panaji.
4. O Oficial Sub-divisional dos Telegrafos, Panaji.

6. O plano do aludido terreno poderá ser consultado na Repartição do «Land Acquisition Officer», em Panaji, por período de 30 dias, a contar da data da publicação deste despacho no *Boletim Oficial*.

SCHEDULE — QUADRO

Description of the said land — Descrição do aludido terreno

Taluka	Village	Plot No.	Survey No.	Description of the said land	Approximate area in sq. mts.
Concelho	Aldeia	Terreno n.º	Cadastro N.º	Descrição do aludido terreno	Area aproximada em m²
Goa	Panaji	—	536/Part	A plot of land at Altinho to the North of the Goa Meteorological Observatory believed to be owned by Smt. Raquel Gracias Menezes and Shri Jose Pedro Gracias Menezes of Panaji.	3650.00
Total:					3650.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

W. G. Ranadive, Secretary (Revenue).

Panaji, 14th April, 1970.

Por ordem e em nome do Governador-tenente de Goa, Damão e Diu.

W. G. Ranadive, Secretário (Rendimentos).

Panagi, 14 de Abril de 1970.

Law and Judicial Department

Notification

LD/4-8-68

In exercise of the powers conferred by sub-section (1) of Section 12 of the Code of Criminal Procedure 1898 as applicable to the Union Territory of Goa, Daman and Diu, the Lieutenant Governor of Goa, Daman and Diu hereby appoint Shri R. A. Deshpande, Mamlatdar Bicholim as a Magistrate of the third class with immediate effect for the period when he works as Mamlatdar, Bicholim.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

M. S. Borkar, Under Secretary.

Panaji, 16th April, 1970.

Local Self Government Department

Notification

DF-395-FOR-68

Whereas by Government Notification No. DF-395-FOR-68 dated 7-5-1969 published on pages 83-84 of Series II, no. 8 of the Government Gazette, dated 22-5-1969, it was notified under section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the «said land») was likely to be needed for a public purpose viz. for establishment of a nursery at Casarvornem.

And whereas the Lieutenant Governor of Goa, Daman and Diu (hereinafter referred to as the «Lt. Governor») is after considering the report made under sub-section (2) of Section 5A of the said Act, satisfied that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, therefore, the Lt. Governor, is pleased to declare under the provision of section 6 of the said Act that the said land is required for the public purpose specified above.

A plan of the said land can be inspected at the office of the Sub-Divisional Officer, Goa, North Division, Panaji.

SCHEDULE — QUADRO

Description of the said land — Descrição do aludido terreno

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Exact area in sq. metres
Concelho	Aldeia	Terreno n.º	Cadastro n.º	Nome da pessoa que se presume ser interessada	Area exacta em m²
1	2	3	4	5	6
Pernem	Cansarvornem	1	—	A part of the plot locally known as «Vodmollo» and believed to be held by Sarva Shri Shripad Rajaram Prabhu Parseker Desai, Madusudan Jairam Prabhu Parseker Dessai, both residents of Parxem, Pernem, Sagun Prabhu Parseker Desai, resident of Bombay, Ashok Narayanrao P. P. Desai, Vasant Atmaram P. P. Desai, both residents of Pernem, and bounded by the North by land held by Shri Bhicaji Vasu Gawas and others, on the South by the remaining part of the said plot Vodmollo; on the East by the Casarvornem river and on the West by the road.	24,340

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. N. Dixit, Secretary (Local Self Govt. Deptt.).

Panaji, 14th April, 1970.

Departamento de Justiça

Despacho

LD/4-8-68

No uso das faculdades conferidas pela alínea (1) do artigo 12.º do «Code of Criminal Procedure 1898», conforme foi aplicado ao território da União de Goa, Damão e Diu, o Governador-tenente de Goa, Damão e Diu, nomeia o Sr. R. A. Deshpande, Mamlatdar, de Bicholim, como Magistrado de 3.ª classe, com efeito imediato, durante o período em que trabalhar como Mamlatdar, de Bicholim.

Por ordem e em nome do Governador-tenente de Goa, Damão e Diu.

M. S. Borkar, Subsecretário.

Panaji, 16 de Abril de 1970.

Departamento de Administração Autónoma

Despacho

DF-395-FOR-68

Atendendo a que por despacho n.º DF-395-FOR-68, de 7 de Maio de 1969, publicado à pgs. 83-84 do Boletim Oficial n.º 8, 2.ª série, de 22 de Maio de 1969, fora tornado público, ao abrigo do artigo 4.º do «Land Acquisition Act, 1894» (referido daqui em diante como «citado Act») que o terreno descrito no quadro anexo (referido daqui em diante como «aludido terreno») era necessário para os fins públicos dum «nursery» em Casarvornem.

Tendo em consideração que o Governador-tenente de Goa, Damão e Diu (referido daqui em diante como «Governador-tenente») após apreciar o relatório submetido ao abrigo da alínea (2) do artigo 5A do citado Act, acha que é necessário adquirir o terreno descrito no quadro anexo, para os fins públicos acima referidos.

O Governador-tenente declara, ao abrigo do disposto no artigo 6.º do citado Act, que o aludido terreno é necessário para os fins públicos acima referidos.

O plano do aludido terreno poderá ser consultado na Repartição do oficial sub-divisional, da divisão do norte de Goa, Panaji.

Por ordem e em nome do Governador-tenente de Goa, Damão e Diu.

A. N. Dixit, Secretário (Departamento de Administração Autónoma).

Panaji, 14 de Abril de 1970.

Food and Civil Supplies Department

Order

FCS/PWD/2422/URP/70

Read: — Government order No. FCS/PWD/2422/69, dated 13-11-1969.

The appointment of Shri U. R. Pissurlenkar to the post of Executive Engineer (Civil) in P. W. D. on ad-hoc basis vide Government order, referred to above, is continued upto 28-2-1971 or till the post is filled on regular basis, whichever is earlier.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. N. Dhumak, Under Secretary (Planning).

Panaji, 11th April, 1970.

Public Works Department

Principal Engineer's Office

Notification

PWD/LA/1258/8/70

Whereas it appears to the Appropriate Government (hereinafter referred to as the «Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz. Widening and improvement to Shiroda Connem Road.

Therefore the Government is pleased to notify under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyors or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay, commenced or improvements made thereon without the sanction of the Collector, appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by the officer assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Government Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of section 3 of the said Act the Land Acquisition Officer, Panaji to perform the functions of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Land Acquisition Officer, Panaji.
3. The Director Land Survey, Panaji.
4. The Executive Engineer, Works Division II, PWD, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, Panaji, for a period of 30 days from the date of publication of this Notification in the Government Gazette.

Departamento de Alimentação e Abastecimento Civil

Portaria

FCS/PWD/2422/URP/70

Ref.: — Portaria n.º FCS/PWD/2422/URP/69, de 13 de Novembro de 1969.

A nomeação provisória do Sr. U. R. Pissurlenkar, para o lugar de engenheiro executivo (civil) dos Serviços das Obras Públicas, efectuada por portaria acima referida, é prorrogada até 28 de Fevereiro de 1971, ou até que o lugar seja preenchido por nomeação regular, se for antes.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

S. N. Dhumak, Subsecretário (Planificação).

Panaji, 11 de Abril de 1970.

Serviços das Obras Públicas

Repartição do Engenheiro-Chefe

Despacho

PWD/LA/1258/8/70

Atendendo a que o Governo Interessado (referido daqui em diante como «Governo») acha que o terreno descrito no quadro anexo (referido daqui em diante como «aludido terreno») é necessário para os fins públicos do alargamento e melhoramentos da estrada Sirodã-Connem.

Torna-se público ao abrigo do disposto na alínea (1) do artigo 4.º do «Land Acquisition Act, 1894» («referido daqui em diante como citado Act») que o aludido terreno é necessário para os fins públicos acima referidos.

2. Os interessados no aludido terreno são por este avisados a não impedir ou interferir com os agrimensores e outro pessoal em serviço no aludido terreno para os fins da aquisição do mesmo. Quaisquer contratos para alienação do aludido terreno, por meio de venda, arrendamento, hipoteca, cedência, troca ou de qualquer outra forma, ou quaisquer projectos ou melhoramentos feitos no mesmo, sem a autorização do Collector, nomeado no § 4.º a seguir, depois da data da publicação deste aviso, não serão tomados em consideração, ao abrigo do artigo 24.º (sétimo) do citado Act, pelos funcionários encarregados de atribuir compensação pelas partes do aludido terreno que venham a ser finalmente adquiridas.

3. Caso o Governo considere que o aludido terreno é necessário para os fins acima referidos, será publicado, oportunamente, no *Boletim Oficial*, um aviso final para esse efeito, ao abrigo do artigo 6.º do citado Act. Se a aquisição for abandonada, total ou parcialmente, o facto será notificado, na devida altura, no *Boletim Oficial*.

4. O Governo nomeia, ao abrigo da alínea (c) do artigo 3.º do citado Act, o «Land Acquisition Officer» em Panaji, para exercer as funções de Collector, ao abrigo do citado Act, em relação ao aludido terreno.

5. O Governo também autoriza, ao abrigo da alínea (2) do artigo 4.º do citado Act, as seguintes entidades oficiais para exercerem as funções especificadas na mesma lei, em relação ao aludido terreno.

1. O Collector de Goa, Panaji.
2. «The Land Acquisition Officer», Panaji.
3. O Director de Agrimensura, Panaji.
4. O Engenheiro executivo da Secção II, dos Serviços das Obras Públicas, Panaji.

6. O plano do aludido terreno poderá ser consultado na Repartição do «Land Acquisition Officer», em Panaji, por período de 30 dias, a contar da data da publicação deste despacho no *Boletim Oficial*.

SCHEDULE—QUADRO

(Description of the said land—Descrição do aludido terreno)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. mts.
Concelho	Aldeia	Terreno n.º	Cadastro N.º	Nome da pessoa que se presume ser interessada	Area aproximada em m ² .
1	2	3	4	5	6
A strip of land believed to be held by:— Uma faixa do terreno que se presume estar em posse de:					
Ponda	Siroda	1.		Comunidade of Shiroda	655.00
	»	2.		Shri Devi Kamaxi Temple	45.00
	»	3.		Shri Radha Guro of Shiroda	40.00
	»	4.		Shri Surya Mahadeo Shirodkar of Shiroda	75.00
	»	5.		Shri Narayan Shirodkar, of Shiroda	100.00
	»	6.		Shri Tulsi Savker of Borim	255.00
	»	7.		Shri Vasudeo Fadte and Ramakrishna Fadte of Shiroda	300.00
	»	8.		Shri Surya Mahadeo Shirodkar	120.00
	»	9.		Shri Saguna Shirodkar	80.00
	»	10.		Shri Yeshwant Lavande, Panaji	654.00
	»	11.		Comunidade of Shiroda	490.00
	Conxern	12.		Shri Yeshwant Bhat of Merricar of Shiroda	1060.00
	»	13.		Shri Sadashiv Dhavolker of Shiroda	550.00
	»	14.		Shri Raju Purshottam Prabhu and Narottem K. Prabhu of Shiroda	3520.00
	»	15.		Comunidade of Shiroda	2880.00
	»	16.		Shri Venkatesh Gude of Shiroda	2460.00
Total					13284.00

By order and in the name of the Lt. Governor of Goa,
Daman and Diu.

Balcrishna R. Naique, Principal Engineer, P.W.D. and
Ex-Officio Addl. Secretary to the Govt.

Panaji, 15th April, 1970.

Por ordem e em nome do Governador-tenente de Goa,
Damão e Diu.

Balcrishna R. Naique, Engenheiro-Chefe dos Serviços das
Obras Públicas e Secretário adicional ex-officio, do Governo.

Panaji, 15 de Abril de 1970.

Industries and Power Department

Notification

7/3/70-IND

In exercise of the powers conferred by section 48 of the Goa, Daman and Diu Weights and Measures (Enforcement) Act, 1968 the Administrator, Goa, Daman and Diu hereby directs that the power exercisable by him under the provision of sub-section (1) of section 45 of the said Act shall be exercisable by the Controller of Weights and Measures, Goa, Daman and Diu.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

V. R. Vaze, Under Secretary, Industries and Labour Department.

Panaji, 16th April, 1970.

Departamento de Indústrias e Energia

Despacho

7/3/70-IND

No uso das faculdades conferidas pelo artigo 48.º do «Goa, Daman and Diu Weights and Measures (Enforcement) Act, 1968» o Administrador de Goa, Damão e Diu, determina que os poderes exercidos por ele, ao abrigo da alínea (1) do artigo 45.º do citado Act, sejam exercidos pelo Controlador de Pesos e Medidas de Goa, Damão e Diu.

Por ordem e em nome do Governador-tenente de Goa, Damão e Diu.

V. R. Vaze, Subsecretário do Departamento de Indústrias e Trabalho.

Panaji, 16 de Abril de 1970.

Labour and Information Department

Order

Industrial Disputes Act, 1947

LC/1/65/2373/69/302

Whereas the Government of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the Management of M/s. V. M. Salgaocar & Brother Pvt. Ltd., Vasco-da-Gama (Goa) and the workmen in respect of the matters specified in the schedule hereto annexed;

Departamento de Trabalho e Informação

Portaria

«Industrial Disputes Act, 1947»

LC/1/65/2373/69/302

Atendendo a que o Governo de Goa, Damão e Diu é do parecer que existe uma disputa industrial entre a gerência da firma «V. M. Salgaocar & Brother Ltd.», de Vascó da Gama, (Goa) e os seus empregados em relação aos assuntos mencionados no quadro anexo.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Lieutenant Governor of Goa, Daman and Diu is pleased to refer the dispute mentioned in the Schedule appended hereto for adjudication to the Industrial Tribunal, Panaji.

SCHEDULE

«(1) *Pay Scales.*—All the workmen should be classified into the following grades and pay-scales:

(a) Section Superintendent	Rs. 350-20-430-25-555-EB-30-735
(b) Senior Clerical Staff/ Senior Salesmen	Rs. 195-12-50-270-15-390-EB-20-510
(c) Junior Clerical Staff/ Junior Salesmen	Rs. 150-7-50-210-10-280-EB-15-325
(d) Motor Drivers	Rs. 140-6-200-10-250
(i) Peon, watchman, duplicating operator	Rs. 100-5-115-6-163-EB-7-205
(ii) Cleaner Sweeper, Water boy, Cooly etc.	Rs. 85-4-125-5-165

(2) *Dearness Allowance.*—All the workmen should be given Dearness Allowance at the following scales:—

Basic Salary	Allowances
Upto Rs. 100/-	Rs. 45/-
Between Rs. 101/- to Rs. 200/-	additional Rs. 35%
Between Rs. 201/- to Rs. 300/-	additional Rs. 20%
Between Rs. 301/- to Rs. 400/-	additional Rs. 15%
Above Rs. 400/-	additional Rs. 10%

Maximum Dearness Allowance to be paid should be Rs. 150/-.

(3) *Gratuity.*—All the workmen should be allowed gratuity after completing 5 years' service at the rate of one month's salary for every completed year of service.

Those completing service of 2 years and less than 5 years should be entitled to gratuity at the rate of 15 days' salary for every completed year of service.

(4) *Maternity Leave.*—As and when required female employees should be allowed Maternity Leave at the rate of 3 months on full salary.

(5) *Overtime payment for Motor Drivers.*—All the Motor Drivers should be allowed overtime wages at the rate of double their average rate of wages for any work done in excess of 8 hours a day.

(6) *Provision of Canteen facility.*—The company should provide a canteen at its Head Office where snacks, tea and soft drinks should be made available to the members of the staff.

(7) From what date the Award of the Industrial Tribunal should come into force in respect of each item mentioned above?».

This supersedes Government Order No. LC/1/65/2373/69 dated 26-12-1969.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

B. Ram, Secretary, Industries and Labour Department.

Panaji, 6th April, 1970.

Notification

Whereas it appears to the Lieutenant Governor of Goa, Daman and Diu that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz. Extension of Bus Stand at Calangute beach.

Therefore the Lieutenant Governor, of Goa, Daman and Diu is pleased to notify under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

No uso das faculdades conferidas pela alínea (d) do § (1) do artigo 10.º do «The Industrial Disputes Act, 1947», o Governador-tenente de Goa, Damão e Diu submete a mesma disputa à decisão do Tribunal Industrial, Panaji.

QUADRO

«(1) *Escala de vencimento.*—Todos os empregados deverão ser classificados sob as seguintes classes e escalas:

(a) Section Superintendent	Rs. 350-20-430-25-555-EB-30-735
(b) Senior Clerical Staff/ Senior Salesmen	Rs. 195-12-50-270-15-390-EB-20-510
(c) Junior Clerical Staff/ Junior Salesmen	Rs. 150-7-50-210-10-280-EB-15-325
(d) Motor Drivers	Rs. 140-6-200-10-250
(i) Peon, watchman, duplicating operator	Rs. 100-5-115-6-163-EB-7-205
(ii) Cleaner Sweeper, Water boy, Cooly etc.	Rs. 85-4-125-5-165

(2) *Subsídio de carestia.*—Todos os empregados deverão ter direito ao subsídio de carestia sob as seguintes escalas:

Salário-base	Subsídio
Até Rps. 100/-	Rps. 45/-
Entre Rps. 101/- a Rps. 200/-	mais 35%
Entre Rps. 201/- a Rps. 300/-	mais 20%
Entre Rps. 301/- a Rps. 300/-	mais 15%
Para cima de Rps. 400/-	mais 10%

Máximo do subsídio de carestia a ser pago deverá ser de Rps. 150/-.

(3) *Gratificação.*—Todos os empregados deverão ter direito à gratificação após completar 5 anos de serviço, a razão de um mês de vencimento por cada ano completo de serviço.

Os que tenham completado 2 anos, e menos de 5 anos de serviço, deverão ter direito à gratificação a razão de 15 dias de salário por cada ano de serviço completo.

(4) *Licença de maternidade.*—O pessoal do sexo feminino deverá ter direito à licença de maternidade, a razão de 3 meses, com vencimento inteiro.

(5) *Gratificação por horas extraordinárias aos condutores de automóveis.*—Todos os condutores de automóveis deverão ter direito à gratificação por horas extraordinárias a razão do duplo do seu salário médio, por trabalho excedente a 8 horas por dia.

(6) *Facilidade de cantina.*—A Companhia deverá providenciar quanto a uma cantina na sua sede, onde deverão ser servidos refeições ligeiras, chá e bebidas gasosas ao pessoal.

(7) A partir de que data deverá a decisão do Tribunal Industrial entrar em vigor em relação a cada alínea acima mencionada?

A presente portaria substitui a portaria n.º LC/1/65/2373/69, de 26 de Dezembro de 1969.

Por ordem e em nome do Governador-tenente de Goa, Damão e Diu.

B. Ram, Secretário do Departamento de Indústrias e Trabalho.

Panaji, 6 de Abril de 1970.

Despacho

Atendendo a que o Governador-tenente de Goa, Damão e Diu, acha que o terreno descrito no quadro anexo (referido daqui em diante como «aludido terreno») é de utilidade pública para os fins do prolongamento da praça de automóveis na praia de Calangute.

O Governador-tenente de Goa, Damão e Diu torna público ao abrigo da alínea (1) do artigo 4.º do «Land Acquisition Act, 1894» (referido daqui em diante como «aludido terreno») que é necessário para os fins públicos acima referidos.

2. The Lieutenant Governor, Goa, Daman and Diu is further pleased to appoint under clause (c) of section 3 of the said Act the Land Acquisition Officer, Panaji, Collector's Office to perform the functions of a Collector under the said Act, in respect of the said land.

3. The Lieutenant Governor, Goa, Daman and Diu is also pleased to authorise under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Director of Information and Tourism, Panaji.
3. The Land Acquisition Officer, Panaji.
4. The Director of Land Survey, Panaji.

4. A rough plan of the said land is available for inspection in the office of the said Land Acquisition Officer at Panaji, for a period of 30 days from the date of publication of this Notification in the Government Gazette.

2. O Governador-tenente de Goa, Damão e Diu, nomeia, ao abrigo da alínea (c) do artigo 3.º do citado Act, o «Land Acquisition Officer» da Repartição do Collector, em Panaji, para exercer as funções de Collector, em todos os actos relacionados com o aludido terreno.

3. O Governador-tenente de Goa, Damão e Diu também autoriza, ao abrigo da alínea (2) do artigo 4.º do citado Act, as seguintes entidades para exercerem as funções indicadas na mesma lei, em relação ao aludido terreno.

1. O Collector de Goa, Panaji.
2. O Director de Informação e Turismo, Panaji.
3. O «Land Acquisition Officer» Panaji.
4. O Director de Agrimensura, Panaji.

4. O plano do aludido terreno poderá ser consultado na Repartição do referido «Land Acquisition Officer», em Panaji, por período de 30 dias, a contar da data da publicação deste despacho no *Boletim Oficial*.

SCHEDULE — QUADRO

(Description of the said land) — (Descrição do aludido terreno)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. metres
Concelho	Aldeia	Terreno n.º	Cadastró N.º	Nome da pessoa que se presume ser interessada	Area aproximada em m²
1	2	3	4	5	6
Bardez	Calangute		4122/ part	1. Shri Antonio Pedrinho Fernandes, Calangute.	570 Sq. mts.
			4123/ part	2. Smt. Maria Elvina Virginda Violeta Santiago, Diogo João Caetano Lobo, Macario Quintiliano David Lobo, Maria Antonia G. Inacia Lobo, Maria Carolina Estí-bela Lobo, Maria Conceição Osilinda Leonora Lobo, Pio Felizardo Lobo.	
			4124/ part	3. Beleza Caetano Paulina Lobo, Eufemia Esmeralda Lobo	
			4125/ part	4. Maria Idalina Egidia Lobo.	
			4127/ part	5. Joao Pedro Silveira.	
			4142/ part	6. Eugenio Francisco Monteiro.	
			4143/ part	7. Cristalina Simoes e Messias.	
			4144/ part	8. Filveia Lopes e Joao Castro Lobo.	
			4137/ part	9. Carlos Francisco Canuto Martins.	

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

B. Ram, Secretary, Industries and Labour.

Panaji, 17th April, 1970.

Por ordem e em nome do Governador-tenente de Goa, Damão e Diu.

B. Ram, Secretário de Indústrias e Trabalho.

Panaji, 17 de Abril de 1970.

Order

LC/1-(38)/68)IT-5)

The following Award given by the Industrial Tribunal, on an Industrial Dispute between M/s. Goa Central Cooperative Consumers Stores Ltd., Panaji (Goa), and the workmen employed by them, is hereby published as required vide provisions of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947):—

Before Shri V. A. Naik, Industrial Tribunal, Goa, Daman and Diu

Reference (IT-GDD) No. 6 of 1968

Between

The Goa Central Co-operative Consumers Stores Ltd., Panaji and

The workmen employed under them

In the matter of the legality and propriety of the management's order terminating the services of Shri G. N. Kunde,

Purchase & Sales Supervisor with effect from 31-5-1968 and the relief, if any, to which the workman is entitled.

Appearances:

Shri S. A. Sabhak, Advocate, for the society.

Shri S. V. Joshi for the workman.

AWARD

This is a reference made by the Government of Goa, Daman and Diu under Sec. 10(1)(d) of the Industrial Disputes Act, XIV of 1947, for adjudication of the following dispute between the management of the Goa Central Co-operative Consumers Stores Ltd., Panaji and the workman employed under them:—

«Whether the action of the management of the Goa Central Co-operative Consumers Stores Ltd., Panaji, in terminating the services of Shri Gurudas N. Kunde,

Purchase and Sales Supervisor, from 31-5-68 is legal and justified? If not, to what relief Shri Kunde is entitled?».

2. Before setting out the contentions urged by the parties it will be convenient to refer to a few facts on which there is no dispute between them. Shri G. N. Kunde, who will hereinafter be referred to as 'the workman' was appointed as the supervisor of the Goa Central Co-operative Consumers Stores Ltd., at Margao, which will hereinafter be referred to as 'the society' on a consolidated salary of Rs. 200/- per month for a period of 6 months in the first instance with effect from 1st July, 1965 or from the date of his joining. This order was passed on 30th June 1965 (Ex. U/1). On completion of the period of his probation, the workman was confirmed as a supervisor with effect from 6th January 1966. The order of confirmation was passed on 20th April 1966 (Ex.U/2). On the 23rd February 1968 the workman asked for privilege leave for two months from 1st March, 1968 up to 30th April 1968 both days inclusive (Ex.U/3). The Administrator passed an order on 25th February 1968 saying that leave to the workman is sanctioned from 1-3-1968 to 30-4-1968 and that the workman should be relieved with effect from 1-3-1968. It however appears that the workman was not relieved on the date stipulated. The workman therefore wrote a letter to the Administrator on 4-3-1968 saying that he worked in the stores for 2 days after the date from which he was to proceed on leave to facilitate handing over charge. He then explained the reason why he was asking for leave and stated that he was not well and was advised by the doctor to take complete rest, he therefore requested that he should be relieved with effect from 5th March after office hours. (Ex.U/4). The Administrator endorsed the following remark on the said application: «The incumbent cannot be relieved on the following grounds: (1) The auditor has given half margin memos. The same are to be complied. (2) The credit allowed to societies, and for their dues confirmation is to be sought. On completion of these works, he will be relieved. The work is to be completed as early as possible». On 5th March, 1968 the workman wrote another letter to the Administrator saying that he has already complied with half margin memos given by the auditors. He then proceeded to say: «Some GRD's are to be prepared but in that connection I have already asked our depot-in-charge in Panjim to prepare the same and send to this office immediately. This matter I have discussed with Senior Clerk of auditors. Regarding second para of your above letter against credit allowed to the societies and the dues to be confirmed from them I would like to state that I have asked our accountant to do the needfull in the matter by separate letter». (Ex.U/5). Below this letter the Administrator made the following remark: «The Auditors are to satisfy themselves with the replies on the half margin memos; and hence the work should be completed early». On the 25th March 1968 the workman wrote another letter to the Administrator. After referring to the grounds given by the Administrator for not relieving him the letter states: «Now since that you cannot sanction my leave because of above mentioned reasons, I would like to request you to please compensate my two months leave paying me Rs. 720/- being two months salary which as per the rules I must receive». He further stated that he was appointed to act as the Administrative Officer for one month during the period of leave of Shri Vasant Karapurkar with effect from 22-1-1968 and that Shri Karapurkar had extended his leave for one more month, that he had to look after both the charges, his own and that of Shri Karapurkar, the Administrative Officer, that is the period during which he held charge of the two posts was a long one, he should be allowed to draw the maximum amount towards the work done by him. On the 30th April 1968 the Administrator gave a notice to the workman to the effect that the services of the purchase and sales supervisor would no longer be required to the stores from 1st June 1968 as the stores had decided to reduce its overhead costs and one month's notice from today, the 30th April 1968, is given as per the terms and conditions of services. (Ex.U/7). On 31st May 1968 the Administrator passed an order to the effect that on the expiry of the period of notice issued on 30-4-1968 the services of Shri G. N. Kunde, purchase and sales supervisor are terminated with effect from 31-5-1968 after office hours. (Ex.C/1). On the same day viz. 31st May 1968, another letter was sent by the Administrator to Shri G. N. Kunde stating: «As per our discussion with our Administrator Shri D. E. Naik, a post in our retail branch at Panaji to write the stock book and daily statements is offered to you and hence confirmation to that effect may be given immediately».

3. In support of his claim the workman has put in a statement of claim in which after referring to the facts set out above he has stated that the action of the Administrator is

clearly vindictive. It is obvious that he did not like that the workman should ask for encashment of leave and also for officiating allowance. He asserts that though the termination order refers to the terms and conditions of service there were no service rules in force in the establishment providing termination of service of the employees by giving one month's notice, that therefore the action of the management in terminating the services by one month's notice is arbitrary, wrongful and illegal. With reference to the wording of the termination order that his «services are no longer required», the workman has submitted that this amounts to retrenchment and therefore it was necessary for the management to comply with the conditions laid down in Section 25F of the Industrial Disputes Act and that non-compliance of any of the conditions would render the retrenchment order null and void. The workman has therefore contended that he is entitled to retrenchment compensation and full back wages from the date of the illegal termination of his services. He has proceeded to state that the action of the management does not even fulfil the test of propriety even if it is construed as termination of service according to standing orders or service rules as the termination must be in the bona fide exercise of the power which is not the case here. He has then pointed out that although in the letter terminating his services the management has referred to the reduction of overheads, the management has appointed two more clerks which goes to show that the reason given about economy is not genuine. Thus the management's action whether taken as retrenchment or discharge simpliciter is neither valid nor justified. Alternatively the workman has contended that the case would be covered under item (11) of Schedule IV in which case it was necessary for the management to follow the procedure laid down in Sec. 9A of the Industrial Disputes Act and to give the requisite notice as prescribed in the section for effecting the change.

4. The management put in their written statement and contended that the Industrial Tribunal has no jurisdiction to decide the dispute and the order of reference was invalid. The only authority vested with jurisdiction to decide such disputes according to the management is the Registrar of Co-operative Societies. Section 91 of the Maharashtra Co-operative Societies Act as applied to the Union Territory of Goa, Daman & Diu has a non-abstencia clause which ousts the jurisdiction of any other court or tribunal and vests exclusive jurisdiction in the Registrar of Co-operative Societies. This is the only contention raised by the Administrator in his written statement dated 15th March 1969.

5. Thereafter the Administrator filed a second written statement on 14th October 1969 and raised certain contentions on the merits without prejudice to the preliminary objection set out above. The Administrator has pointed out that it was Shri Kunde who did not avail himself of his leave at the proper time. According to the Administrator it was Shri Kunde who was at fault in not proceeding on leave at the proper time. Furthermore the new Administrator who took over charge was required to detain Shri Kunde as certain work had remained in arrears and it was necessary that the same should be duly completed. It is pointed out that the right to ask for leave is not absolute and it is in the discretion of the management to refuse it in the interest of the society. According to the Administrator the question of paying salary in lieu of leave by way of compensation did not arise as regular salary for the period has been paid to the workman. He asserts that Kunde's services were terminated by a regular notice for bona fide reason namely to effect economy in the management of the affairs of the society, therefore the termination is legal and bona fide and there is no question of any vindictiveness about it. The Administrator then points out that the management gave him a proposal to take up another post in the society but Kunde did not express his willingness to accept the said post. It is specifically denied that the services of Kunde came to be terminated because the Administrator did not like the demand of Kunde for encashment of leave and officiating allowance. The Administrator has stoutly denied that the action of termination of services was arbitrary, illegal or wrongful and has asserted that the services of Kunde were terminated as his post was abolished by reason of necessity and considering the financial interest of the society.

6. I will first deal with the preliminary objection raised by the society to the effect that since exclusive jurisdiction has been vested in the Registrar under Sec. 91 of the Maharashtra Co-operative Societies Act as applied to the Union Territories of Goa, Daman & Diu 1960 for determining disputes relating to any matter touching the business of the society, the Industrial Tribunal has no jurisdiction to enter-

tain this dispute. No doubt there were conflicting rulings of different High Courts on this point, some courts holding that the jurisdiction of the Industrial Tribunals was barred while others took a contrary view. An authoritative pronouncement was made by the Supreme Court in the case of Deccan Merchants Co-operative Bank Ltd. vs. Dalchand Jugraj, Civil Appeal No. 358 of 1967 decided on 29.8.1968 on the interpretation of Sec. 91 of the Maharashtra Co-operative Societies Act. They held that the expression «touching the business of the society» does not cover the case of a dispute between the management and its employees about the terms and conditions of service. There were again a number of appeals before the Supreme Court viz Civil Appeals Nos. 2093 & 2094 of 1968 and some others wherein the question was comprehensively gone into after referring to their earlier decisions the Supreme Court held:

«Applying these tests, we have no doubt at all that the dispute covered by the first issue referred to the Industrial Tribunal in the present case could not possibly be referred for decision to the Registrar under Sec. 61 of the Act» (Section 61 of the Andhra Pradesh Act is similar to Section 91 of the Maharashtra Co-operative Societies Act.).

At a later stage their Lordships observe:

«... but the meaning given to the expression 'touching the business of the society', in our opinion, makes it very doubtful whether a dispute in respect of alteration of conditions of service can be held to be covered by this expression.»

Further on it is observed:

«... It is thus clear that, in respect of the dispute relating to alteration of various conditions of service, the Registrar or other person dealing with it under Sec. 62 of the Act is not competent to grant the relief claimed by the workman at all.»

Referring to a decision of the Madras High Court on the question of retrenchment compensation and agreeing with the view expressed by the Madras High Court, their Lordships have held that the Registrar could not have jurisdiction to decide a dispute relating to retrenchment compensation under the Industrial Disputes Act. In view of these decisions of the highest Tribunal I must hold that the jurisdiction to decide this dispute lies with the Industrial Tribunal and not with the Registrar of Co-operative Societies.

7. The main question for our consideration however is whether the order of termination of services of the workman amounts to retrenchment and if so whether the conditions laid down in Sec. 25F of the Act have been fulfilled. The notice given on 30th April 1968 says that the services of Shri G. N. Kunde as Sales Supervisor are no longer required to the stores inasmuch as the stores had decided to reduce its overhead costs. In the second written statement the society has clearly asserted that the post of purchase and sales supervisor had been abolished as a measure of economy. A faint attempt has been made by the workman in his statement of claim to show that his services were not terminated for effecting economy but out of vindictiveness because he claimed two month's salary as he was not allowed to avail of his leave and also because he made a claim to additional salary for the period he officiated as the administrative officer. In order to support this line of reasoning he referred to the fact that two more clerks were appointed after his services were terminated. The management has not admitted this and the workman has led no evidence to prove the allegation. Assuming for the sake of argument that two clerks were appointed that does not mean that the post of purchase and sales supervisor had not become superfluous. There may be need for appointing two more clerks but there might be no need to continue the post of a purchase and sales supervisor. The contention namely that the action taken by the management in terminating the services of the workman is vindictive and is due to exasperation on the part of the Administrator on account of the demands made by the workman is equally devoid of substance. The demand for compensation in addition to salary for the period during which leave was sanctioned but the workman was not allowed to avail himself of leave is obviously untenable. Although ordinarily a workman is entitled to enjoy his privilege leave it is always open to the management to refuse the leave or after granting the leave not relieve the workman on account of exigencies of work. Several reasons have been given as to why the workman was not allowed to avail himself of his leave. He was required to complete the unfinished work and since that is the reason he was not allowed to enjoy the leave it is impossible to say that he was entitled to compensation in addition to his regular

salary. So far as the workman's claim for additional payment for holding charge of both the posts of Sales Supervisor and Administrative Officer is concerned, the management could have decided the claim on its merits. The workman has himself conceded the position that no rules of services had up to that time been framed and there was no reason therefore for the management to be vexed because of the two demands put forward by the workman. It is of some significance to note that on the very day that the services of the workman were terminated that is on 31-5-1968, an offer was given to him that he would be appointed to a post in the Retail Branch at Panaji to write the stock books and the daily statements. The letter at Ex. C/2 calls upon the workman to intimate his reaction immediately. The administrator has explained in his written statement that the salary and the terms and conditions of service were the same as those of a purchase and sales supervisor. Although it was faintly stated by Shri Joshi on behalf of the workman that the letter of 31st May 1968 (Ex. C/2) was not received by the workman the allegation has not been pursued and no evidence has been led in support of the same. On the other hand the society has produced an extract from its out-ward register at Ex. C/5 which shows that the letter No. EST/3/1139 dated 31st May 1968 was sent to Shri Kunde. The letter at Ex. C/2 bears the same number and date. It is therefore clear that the allegation that the action of the management in terminating the services of the workman is mala fide and is actuated by vindictiveness has no legs to stand upon. I am therefore satisfied that the services of the workman were terminated on account of the fact that the post which he held had been abolished.

8. Now let us turn to the wording of Sec. 25F to see whether non-compliance with any of the conditions laid down in clauses (a), (b) and (c) renders the action of termination invalid. Three conditions have been laid down (clause (a) the first is that the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired. This condition has been amply fulfilled because the notice was given to the workman on 30th April 1968 (Ex. C/3) stating the reason why he was being retrenched while the actual termination was effected by letter dated 31st May 1968 after the expiry of the period of the notice (Ex. C/1). Turning to the second clause at (b) it lays down that the workman must be paid at the time of his retrenchment compensation which shall be equivalent to 15 days average pay for each completed year of continuous service or any part thereof in excess of 6 months. The compensation as prescribed in clause (b) of Sec. 25F has admittedly not been paid. The reason for the same appears to be two fold. Firstly the management till then held the belief that the matter is not governed by the provisions of the Industrial Disputes Act, secondly the management had made an offer to the workman which it was for the workman to accept or refuse. It is clear that the workman did not intimate his reaction to the offer at any rate till the 12th July 1968. On that day he wrote the letter at Ex. C/6 conveying his reformulated demand on the society. In that letter, after stating that the notice terminating his services was illegal, the workman proceeded to say:

«However in order to settle the problem amicably and finish the issue forever I would like to inform you to pay may legal and just demands as mentioned below:—

1. 3 years service compensation at the rate of 15 days salary per year ...	Rs. 540/-
2. Compensation against earned leave for two months at Rs. 360 p. m. ...	Rs. 720/-
3. My salary of May 1968 ...	Rs. 360/-
	<hr/> Rs. 1,620/-

I once again request you to please send the above amount of Rs. 1,620 only by a demand draft to my above address against the compensation in order to solve the dispute amicably».

Although therefore the condition laid down in clause (b) had not been fulfilled the workman on his own accord categorically stated that he would not treat it as a condition precedent but that he was prepared to accept the compensation at that late stage, that is on 12th July 1968. The third clause (c) of Sec. 25F lays down that notice in the prescribed manner must be served on the appropriate Government or such authority as may be specified by the appropriate Govt. by notification in the Official Gazette. It has been held by the Supreme Court in the Bombay

Union of Journalists v. State of Bombay, 1964 (8) F.L.R. 236 (S.C.) that unlike clauses (a) and (b), clause (c) is not a condition precedent. However it is admitted that this condition was not fulfilled probably for the reason that the management were under the impression that they were not governed by Sec. 25F of the Act. The position of law was finally settled by of the Supreme Court's pronouncement on 3-4-1969 in Civil Appeals Nos. 2093 and 2094 of 1968. Till that time there was some doubt as to whether the provisions of the Industrial Disputes Act were applicable to disputes between a Co-operative Society and its employees relating to terms and conditions of service of the employees. Though ignorance of law is no excuse but in the peculiar circumstances of the case namely that an authoritative pronouncement was made by the Supreme Court as recently as 3rd April 1969 and further in view of the fact that the workman himself on his own initiative had waived the condition in clause (b) of Sec. 25F and was in fact prepared to accept compensation at a later date according to the rate prescribed in clause (b), I am not prepared to hold that the order of retrenchment becomes wholly void. The claim for his reinstatement has also been waived by the workman by his letter dated 12th July 1968 at Ex. C/6. The society has kept its offer for giving him employment on the same terms and conditions as before, still open. I am therefore not prepared to hold that this is a case where the workman is entitled to be reinstated. So far as the question of compensation for wages is concerned I feel that the workman ought to have availed himself of the offer made by the management. Even at the time of the hearing when the offer was repeated the workman turned it down promptly. Incidentally the workman Shri Kunde mentioned that he has lands and that he had grown sugar cane and was busy with that work and was therefore no longer interested in taking up service and that if back wages are given to him in addition to the compensation claimed by him for not allowing him to avail himself of his leave he would be satisfied. He has put in his final say on the compromise formula suggested to him on behalf of the management on 5th January 1970. His application opens with the words: "The compromise formula suggested by the other side does not give adequate compensation for the period that has elapsed since the termination of my services". He then proceeds to reiterate the following demands: (1) Reinstatement with full back wages. (2) Wages of the post in which he worked during January to March 1968 and (3) Leave salary for the leave in balance on the date of termination of his

services or crediting of that leave plus the leave that he would have acquired had he been in service till to-date. Although he has reiterated his demand for reinstatement he was really particular about back wages and compensation. Whatever that may be in my view in the peculiar circumstances of the case he is neither entitled to reinstatement or entitled to full back wages. His claim for compensation for refused leave for 2 months is untenable. In the same way the question as to whether he is entitled to any additional pay for holding charge of 2 posts also cannot be entertained by this Tribunal and has not been referred for decision. The only question that remains is the question of compensation at the rate of 15 days average pay per year for the period of his services as set out in Ex. C/6 and as laid down in clause (b) of Sec. 25F of the Act. The workman is obviously entitled to that amount which comes to Rs. 540. As stated above with the discharge of Shri Kunde's services an offer was made to him to accept another post on the same terms and conditions. The offer was kept open for him but he spurned it, which means that he is not interested in securing employment any more. By his letter of 12th July 1968 at Ex. C/6 he has categorically stated that he was prepared to compensation in full settlement of his claim. This means that he was waived his claim for reinstatement and is not entitled to any claim for the period of his unemployment. I therefore direct the company to pay Shri Kunde the sum of Rs. 540 as retrenchment compensation within 2 weeks from the date this award becomes enforceable. As regards his claim for leave salary and earned wages such claims cannot be made in a reference under the Industrial Disputes Act. It would be open to him to apply to the proper authorities for computation of his dues and to pursue such other remedies as may be open to him in law.

Sd/-

V. A. NAIK

Bombay February, 24th 1970.

Industrial Tribunal.

(AF).

By order and in the name of the Administrator of Goa, Daman and Diu.

B. Ram, Secretary of Industries and Labour Department.

Panaji, 3rd April, 1970.

Corrigendum

In the schedule annexed to the Notification n.º PWD/LA/52/68, published on pg. 292-297 of Government Gazette, Series II, no. 35, dated 28th November 1968, the area of the plot no. 72 should be read as «248 sq. mts.» instead of «2 sq. mts.».

Corrigenda

No quadro anexo ao despacho n.º PWD/LA/52/68, publicado à pgs. 292-297 do Boletim Oficial n.º 35, 2.ª série, de 28 de Novembro de 1968, a área do terreno n.º 72 deve ler-se como «248 m²», em vez de «2 m²».